

Remarks

Amendments to the Specification

The Applicants have observed that the Specification contains a non-compliant incorporation by reference. Pursuant to 37 CFR 1.57(g), Applicants have amended the first full paragraph on page 5 of the Specification to explicitly incorporate the cytoplasmic signaling sequence comprising amino acid residues 166 to 199 of ICOS of the Hutloff *et al* article by reference, as this was clearly the intent of the Applicants. It is clear from the Specification that this sequence of amino acids was incorporated into certain embodiments of the invention and that the Applicants were in possession of the claimed embodiments incorporating the Hutloff sequence. No new matter has been added by this amendment.

The Applicants have also amended the Specification to include a sequence listing. The undersigned representative hereby declares that in accordance with 37 C.F.R. § 1.821(g) the content of the sequence listing does not constitute new matter. Under EFS-Web filing procedures, Applicants believe that they need to submit only an electronic version of the sequence listing in order to comply with the rules for submission of substitute sequence listing.

Amendments to the Claims

Claims 1, 9, 11, 12, 17 and 19 have been amended to incorporate the sequence of amino acids 166 to 199 of ICOS of Hutloff *et al*. As described above, support for this amendment can be found in the first full paragraph on page 5 of the Specification. No new matter has been added by this amendment.

Claim Rejections– 35 USC § 112

The Applicants have amended claims 1, 9, 11, 12, 17 and 19 to incorporate the sequence of amino acids 166 to 199 of ICOS of Hutloff *et al*. (SEQ ID NO 1). The Applicants respectfully submit that these rejections have thereby been rendered moot.

Claim Rejection – 35 USC § 102

Roberts *et al* did not disclose nucleic acid molecules that encode a chimeric receptor protein which includes an extracellular ligand-binding domain, a transmembrane

domain, and a cytoplasmic signalling sequence comprising the particular sequence of amino acid residues 166 to 199 of the human inducible co-stimulator.

Furthermore, Finney *et al* did not disclose nucleic acid molecules that encode a chimeric receptor protein which includes an extracellular ligand-binding domain, a transmembrane domain and a cytoplasmic signalling sequence comprising the particular sequence of amino acid residues 166 to 199 of the human inducible co-stimulator.

Furthermore, Maher *et al* did not disclose nucleic acid molecules that encode a chimeric receptor protein which includes an extracellular ligand-binding domain, a transmembrane domain and a cytoplasmic signalling sequence comprising the particular sequence of amino acid residues 166 to 199 of the human inducible co-stimulator. The Applicants respectfully contend that, with the presently incorporated SEQ ID, this rejection is now overcome.

Conclusion

The Applicants submit that the application is now in condition for allowance. The Applicants invite the Examiner to contact the Applicants' undersigned representative at (312) 913-3319 if the Examiner believes that this would expedite prosecution of this application.

Respectfully submitted,

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